

JOSEPH P. RUSSONIELLO (CSBN 44332)
 United States Attorney
 JOANN M. SWANSON (CSBN 88143)
 Chief, Civil Division
 MELANIE L. PROCTOR (CSBN 228971)
 Melanie.Proctor@usdoj.gov
 Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102-3495
 Telephone: (415) 436-6730
 FAX: (415) 436-7169

Attorneys for Respondents

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

ISMAEL ALFARO,)	No. C 08-2171 MHP
)	
Petitioner,)	
)	
v.)	
)	JOINT MOTION TO BE EXCUSED
MICHAEL MUKASEY, Attorney General)	FROM THE FORMAL ADR PROCESS
of the United States; et al.,)	
)	
Respondents.)	

Each of the undersigned certifies that he or she has read either the handbook entitled “Dispute Resolution Procedures in the Northern District of California,” or the specified portions of the ADR Unit’s Internet site <www.adr.cand.uscourts.gov>, discussed the available dispute resolution options provided by the court and private entities, and considered whether this case might benefit from any of them.

Here, the parties agree that referral to a formal ADR process will not be beneficial because this mandamus action is limited to Petitioner’s request that this Court declare Petitioner prima facie eligible for naturalization. Given the substance of the action and the lack of any potential middle ground, ADR will only serve to multiply the proceedings and unnecessarily tax court resources. Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be removed from the ADR Multi-Option Program and that they be excused from participating in the ADR phone conference

1 and any further formal ADR process.

2 Dated: July 21, 2008

Respectfully submitted,

3 JOSEPH P. RUSSONIELLO
4 United States Attorney

5 /s/
6 MELANIE L. PROCTOR¹
7 Assistant United States Attorney
8 Attorneys for Defendants

9 Dated: July 22, 2008

/s/
10 FRANK SPROULS
11 Attorney for Plaintiff

12 **ORDER**

13 Pursuant to stipulation, IT IS SO ORDERED.

14 Date: 7/22/2008



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28 ¹I, Melanie L. Proctor, hereby attest that I have on file all holograph signatures for any
signatures indicated by a “conformed” signature (/S/) within this efiled document.